



DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
CIVIL WORKS  
108 ARMY PENTAGON  
WASHINGTON DC 20310-0108

JUN 24 2015

Mr. David Lewis  
Executive Director, Save the Bay  
1330 Broadway, Suite 1800  
Oakland, California 94612

Dear Mr. Lewis:

This is in response to your letter dated February 2, 2015, regarding the U.S. Army Corps of Engineers (Corps) processing of a request for an approved jurisdictional determination (AJD) for the Redwood City Salt Plant near Seaport Boulevard, Redwood City, San Mateo County, California (Redwood City site). I apologize for the delay in responding.

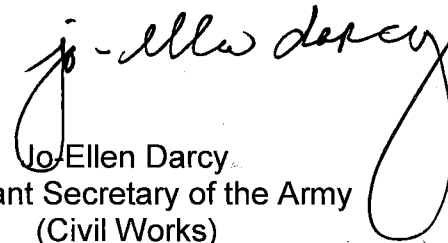
In your letter, you asked me to (1) declare that two internal legal memoranda from the Corps are null and void; and (2) instruct the Corps San Francisco District to consult formally with the Environmental Protection Agency (EPA) Region IX on this and other CWA jurisdictional determinations in the San Francisco Bay area.

As to your first request, the two Corps Headquarters memoranda, which were directed at the Corps San Francisco District office, do not control the CWA jurisdictional determination because EPA is making that determination under the special case procedures. Also, the Corps already issued an AJD under the Rivers and Harbors Act on March 19, 2015.

With respect to your second request, the Corps will provide EPA Region IX with any available documentation it requests to assist EPA in its CWA jurisdictional determination for the Redwood City site. The Corps will continue coordinating with EPA Region IX on any future jurisdictional determinations pertaining to salt ponds within the San Francisco Bay Area.

Thank you for your interest in the Army Civil Works Program.

Very truly yours,

  
Jo Ellen Darcy  
Assistant Secretary of the Army  
(Civil Works)